

Senate Bill No. 359

Passed the Senate September 4, 2015

Secretary of the Senate

Passed the Assembly September 3, 2015

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2015, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 51224.7 to the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

SB 359, Mitchell. California Mathematics Placement Act of 2015.

(1) Existing law establishes a system of public elementary and secondary education in this state, and authorizes local educational agencies throughout the state to provide instruction to pupils.

This bill would enact the California Mathematics Placement Act of 2015. The bill would require governing boards or bodies of local educational agencies, as defined, that serve pupils entering grade 9 and that have not adopted a fair, objective, and transparent mathematics placement policy as of January 1, 2016, to, before the beginning of the 2016–17 school year, develop and adopt, in a regularly scheduled public meeting, a fair, objective, and transparent mathematics placement policy for pupils entering grade 9 with specified elements, and would authorize governing boards or bodies of local educational agencies serving pupils who are transitioning between elementary and middle school or elementary and junior high school to develop and implement a mathematics placement policy for these pupils, as applicable, with these specified elements. The bill would further require each governing board or body of a local educational agency to ensure that its mathematics placement policy is posted on its Internet Web site. By imposing additional requirements on local educational agencies, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Pupil achievement in mathematics is important to prepare pupils for college and their future careers, especially those careers in the fields of science, technology, engineering, and mathematics (STEM).

(b) Placement in appropriate mathematics courses is critically important for a pupil during his or her middle and high school years. A pupil's 9th grade math course placement is a crucial crossroads for his or her future educational success. Misplacement in the sequence of mathematics courses creates a number of barriers and results in pupils being less competitive for college admissions, including admissions at the California State University and University of California.

(c) The most egregious examples of mathematics misplacement occur with successful pupils and, disproportionately, with successful pupils of color. These successful pupils are achieving a grade of "B" or better, or are testing at proficient or even advanced proficiency on state assessments. Nevertheless, they are held back to repeat 8th grade mathematics coursework rather than advancing to the next course in the recommended mathematics course sequence.

(d) Mathematics misplacement has far-reaching impacts on a pupil's confidence, general knowledge of mathematical concepts, and high school experience, and may also impact the college career opportunities available to the pupil.

(e) New research shows that it is less common for pupils of color, even high-achieving pupils of color, to reach calculus by grade 12 compared to their white and Asian peers.

(f) All pupils, regardless of race, ethnicity, gender, or socioeconomic background, deserve an equal chance to advance in mathematics.

(g) With the shift towards implementation of the Common Core State Standards for Mathematics, it is particularly important for all pupils to have access to high-quality mathematics programs that meet the goals and expectations of these standards.

(h) It is crucial for teachers and guidance personnel to advise pupils and parents on the importance of accurate mathematics

course placement and its impact on future college eligibility so pupils may take each course in the mathematics course sequence.

(i) California faces a looming shortage of college-educated workers in an increasingly competitive global economy.

(j) A policy for correct mathematics placement must be addressed in order to ensure a fair process and chance of success for all pupils.

SEC. 2. Section 51224.7 is added to the Education Code, to read:

51224.7. (a) This act shall be known, and may be cited, as the California Mathematics Placement Act of 2015.

(b) Governing boards or bodies of local educational agencies that serve pupils entering grade 9 and that have not adopted a fair, objective, and transparent mathematics placement policy, as described in paragraphs (1) to (5), inclusive, as of January 1, 2016, shall, before the beginning of the 2016–17 school year, develop and adopt, in a regularly scheduled public meeting, a fair, objective, and transparent mathematics placement policy for pupils entering grade 9 that does all of the following:

(1) Systematically takes multiple objective academic measures of pupil performance into consideration. For purposes of this paragraph, “objective academic measures” means measures, such as statewide mathematics assessments, including interim and summative assessments authorized pursuant to Section 60640, placement tests that are aligned to state-adopted content standards in mathematics, classroom assignment and grades, and report cards.

(2) Includes at least one placement checkpoint within the first month of the school year to ensure accurate placement and permit reevaluation of individual pupil progress.

(3) Requires examination of aggregate pupil placement data annually to ensure that pupils who are qualified to progress in mathematics courses based on their performance on objective academic measures selected for inclusion in the policy pursuant to paragraph (1) are not held back in a disproportionate manner on the basis of their race, ethnicity, gender, or socioeconomic background. The local educational agency shall report the aggregate results of this examination to the governing board or body of the local educational agency.

(4) Offers clear and timely recourse for each pupil and his or her parent or legal guardian who questions the pupil’s placement.

(5) For nonunified school districts, addresses the consistency of mathematics placement policies between elementary and high school districts.

(c) Governing boards or bodies of local educational agencies serving pupils who are transitioning between elementary and middle school or elementary and junior high school may develop and implement a mathematics placement policy for these pupils, as applicable, that satisfies paragraphs (1) to (5), inclusive, of subdivision (b).

(d) Each governing board or body of a local educational agency shall ensure that its mathematics placement policy is posted on its Internet Web site.

(e) For purposes of this section, “local educational agency” means county office of education, school district, state special school, or charter school.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Approved _____, 2015

Governor